

**To:** Brogden, Rose[Brogden.Rose@epa.gov]; Maloney, Tom[Maloney.Thomas@epa.gov]  
**Cc:** Grimm, Craig[Grimm.Craig@epa.gov]  
**From:** Williams, Caroline  
**Sent:** Fri 8/14/2015 5:52:55 PM  
**Subject:** FW: CO Mine Clips - 8/14

FYI

**From:** Bressler, Lindsey  
**Sent:** Friday, August 14, 2015 11:48 AM  
**Subject:** RE: CO Mine Clips - 8/14

**Associated Press (via ABC News)**

<http://abcnews.go.com/US/wireStory/latest-mexico-forms-team-review-spill-long-term-33087355>

**The Latest: New Mexico Forms Team to Review Spill Long Term**

Associated Press

Aug 14, 2015, 1:03 PM ET

FARMINGTON, N.M. — New Mexico Gov. Susana Martinez is forming a special team charged with monitoring the long-term effects of a massive toxic waste spill from a Colorado mine.

Officials have said that federal contractors accidentally released more than 3 million gallons of wastewater laden with heavy metals last week at the Gold King Mine near Silverton, Colorado. The pollution flowed downstream to New Mexico and Utah.

Martinez toured the spill by helicopter Friday for the second time in less than a week.

She says that even though the water is clearing up, many questions are left unanswered by the U.S. Environmental Protection Agency. She says New Mexicans deserve to know the long-term effects the disaster will have on downstream communities.

The New Mexico review team includes officials from several state agencies.

### **CBS Denver Channel 4**

<http://denver.cbslocal.com/2015/08/14/owner-of-gold-king-mine-in-disbelief-at-spill-caused-by-epa/>

### **Owner Of Gold King Mine In ‘Disbelief’ At Spill Caused By EPA**

Denver CBS 4

August 14, 2015 11:11 AM

DENVER (CBS4) – Three million gallons of contaminated waste poured into the Animas River from the Gold King Mine when the Environmental Protection Agency accidentally breached a dam.

The owner of the mine spoke exclusively with CBS4 about the toxic disaster.

Todd Hennis said he wanted to keep the EPA out of his mine, but got fined until he let them in. Four years later, toxic water came gushing out of Gold King and into the Animas River.

“I stood before this portal July 13 and could not tell that there was a huge quantity of water backed up behind it,” said Hennis.

What happened last week was not expected even by the Gold King Mine’s owner.

“Disbelief. Just utter devastation. A little bit of incomprehension when I first saw the pictures last Thursday,” Hennis said.

He claims the water did not originate with the Gold King, but seeped into it from an adjacent mine, the Sunnyside. Its owners deny any responsibility.

Hennis did not want to give the EPA access to investigate the leakage from his mine, but said the organization fined him daily.

“When you are a small guy and you’re having a \$35,000 a day fine against you, have to throw up the white flag,” he said.

When the EPA opened it up, millions of gallons of waste were projected from inside, affecting the Animas River and all who benefit from it.

“My heart goes out to them Rick, because I’ve operated a tourist business in Silverton. It’s a short season, 100 days at best,” Hennis said.

He is coming forward to say this could have been avoided if the EPA and adjacent mine had acted on his requests.

“I had initial hesitation in going public with this, with visions of mobs, pitchforks and torches,” Hennis said.

But now he is grateful that the EPA has taken full responsibility for this environmental nightmare.

Hennis cautions that if this spill seems bad, there are other mines nearby that could be a thousand times worse when one of them has a blowout.

### **Kansas City Star**

<http://www.kansascity.com/opinion/opn-columns-blogs/lewis-diuguid/article31103648.html>

## **Cleanup from Colorado mine spill could improve water quality for Southwest**

BY LEWIS DIUGUID

8/14/15

The people whose drinking water was affected by the toxic waste spill from a long-abandoned southwestern Colorado gold mine will just have another reason to enjoy bottled water.

Authorities were reporting that the 3 million-gallon spill of orange-colored contamination would not significantly threaten drinking water. The toxic heavy metals in the accident were said to have declined by half in the spill's first 10 miles.

Colorado Gov. John Hickenlooper put an iodine tablet in a plastic bottle of Animas River water to kill bacteria before taking a gulp on Tuesday to prove that it was safe. It's not recommended that anyone try that.

An Environmental Protection Agency mine cleanup crew accidentally set off the spill on Aug 5. But the mines first developed in the late 1800s in the Silverton area had been releasing contaminated wastewater into streams and rivers long before the accident.

Cement Creek, which picks up the Gold King runoff, is lifeless as is the upper area of the Animas River. The Animas flows into the San Juan River, which goes into New Mexico and Utah before flowing into Lake Powell.

Glen Canyon National Recreation Area authorities have told boaters, swimmers and campers for now to avoid the river and the 40-mile San Juan River arm of the reservoir. The affected Navajo Reservation water-treatment plants have been turned off, and fresh water has been trucked in.

But the taste of the drinking water for many cities in a lot of the Southwest before the spill normally is so harsh that people generally rely on bottled water for drinking and cooking. Maybe the new clean up effort will help change that.

## **Inside Tucson Business**

[http://www.insidetucsonbusiness.com/news/arizona-officials-watchful-hopeful-as-epa-spill-moves-downstream/article\\_f0b70a96-42a1-11e5-a16b-9ba05b1c05ea.html](http://www.insidetucsonbusiness.com/news/arizona-officials-watchful-hopeful-as-epa-spill-moves-downstream/article_f0b70a96-42a1-11e5-a16b-9ba05b1c05ea.html)

### **Arizona officials watchful, hopeful as EPA spill moves downstream**

Posted: Friday, August 14, 2015 9:31 am

Aubrey Rumore, Cronkite News

Arizona officials continue to monitor a massive spill of toxic sludge that is heading toward the Colorado River, but most were hopeful Tuesday that it will have little impact by time it reaches the state.

An Environmental Protection Agency cleanup crew “triggered a large release of mine wastewater” last Wednesday from the abandoned Gold King Mine near Durango, Colorado, sending about 3 million gallons of wastewater so far into the Animas River.

The spill has turned the Animas, a tributary of the Colorado River, a sickly yellow as it heads downstream carrying its load of lead, iron, zinc and arsenic, among other contaminants.

“We are closely monitoring it,” said Michelle Moreno, a spokeswoman for the Arizona Department of Water Resources. “But at this time, we won’t know what the impacts are until it reaches Lake Powell and Lake Mead.”

That could be soon, according to EPA officials. They said on a conference call Tuesday that the toxic plume is an estimated 300 river miles away from Lake Powell and is continuing to flow out of the mine at a rate of 500 to 700 gallons per minute.

The EPA said it is treating water at the mine site and has given assurances to officials downstream.

“Currently, we’re hearing it will be diluted before it gets too far into Coconino,” said Trish Lees, a spokeswoman for Coconino County’s Public Health Services District.

Lees said county officials have held meetings to address the issue, but “at this point,” she said, they can’t do much more than monitor the situation and gather information from the EPA.

But EPA assurances did little to assure Rep. Matt Salmon, R-Mesa, who charged in a letter Tuesday that the agency was being “tight-lipped and reluctant to share vital information with local residents who are suffering in the wake of this spill.”

“These millions of gallons of toxic sludge ... not only threaten the integrity of Arizonans’ limited drinking water resources, but also surrounding farmland and ecosystems, including the world-renowned Grand Canyon,” he wrote in a letter to EPA Administrator Gina McCarthy.

Navajo Nation officials declared a state of emergency in the San Juan River valley over the weekend and issued “do not use” warnings in response to the spill, according to the EPA, which said it is working with the tribe to deliver drinking water to affected areas.

In southern Arizona – where the Central Arizona Project draws drinking water from the Colorado River – officials said they were confident any threat from contamination would be diluted by the time it got that far.

Fernando Molina, a spokesman for Tucson Water, noted that water coming through the Central Arizona Project canal is “constantly monitored.”

While the discolored river is understandably alarming, Molina said that it’s important to remember any CAP water from the Colorado River has to travel through tens of millions of acre-feet of lake and river waterways before it ends up in Tucson.

Even if “there is a contaminant detected in the CAP,” he added, “we always have the ability to simply not take the water.”

That’s not an option at the Grand Canyon, but businesses that rely on the park for tourist dollars said they have not seen any fallout, despite widely broadcast images of the spill.

“It’s not something that we have been too worried about,” said Joanne Hudson, a spokeswoman for the Flagstaff Convention and Visitors Bureau. But she said they, too, are keeping an eye on the situation.

But environmental advocates across the state called the spill a wakeup call, even if it didn’t start in Arizona.

“It highlights the need to address the pollution from mines,” said Sandy Bahr, director of the Sierra Club’s Grand Canyon Chapter.

Arizona needs to “ensure that these mines clean up after themselves,” Bahr said in an email.

“It is a reminder of the importance of clean water in our rivers and streams,” she said. “We all live downstream, and we all benefit from having strong protections.”

## **RFD-TV**

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<http://www.rfdtv.com/story/29787800/toxic-spill-impacts-agriculture#.Vc4knvIVhHw>

### **Toxic Spill Impacts Agriculture**

Rural Farmer's Daily TV Staff

August 14, 2015

NASHVILLE, Tenn (RFDTV) - Last week's toxic water spill, which closed the Animas River, is impacting area ranching and farming communities. Agriculture producers are searching for alternative water sources for their crops and livestock. Meanwhile, EPA head Gina McCarthy held a media briefing and stated the readings of the Animas River show it is healing and has returned to pre-contamination conditions.

The EPA's efforts to cleanup a contaminated mine outside Durango, Col. resulted in the spill which accidentally leaked three million gallons of toxic water into the Animas River. As a result, McCarthy halted the agency's cleanup efforts at all fieldwork mines across the country.

## **Washington Examiner**

<http://www.washingtonexaminer.com/epa-readies-for-oversight-after-spill/article/2570204>

### **EPA readies for oversight after toxic mine spill**

By JOHN SICILIANO

8/14/15 1:26 PM

The head of the Environmental Protection Agency thinks the mine spill disaster in Colorado isn't an issue that will go away anytime soon, and says the agency is readying for a wave of congressional oversight and lawsuits long after the crisis has been resolved.

"This is going to be a longer-term conversation," requiring "a lot of congressional input in terms of how we address these mining challenges," EPA Administrator Gina McCarthy said Wednesday, nearly a week after a plume of toxic sludge flooded the river system in Colorado, and is now impacting three states.

The incident was caused when an EPA contractor accidentally ruptured a containment wall at a gold mine in Colorado, resulting in the uncontrollable release of millions of gallons of toxic waste into the freshwater river system.

McCarthy explained that EPA will be reviewing how it treats the thousands of mines in the West to ensure this doesn't happen again. She said it may take designating the nearly 4,000 mines that EPA oversees as government "Superfund" sites, which would secure federal dollars to invest in cleaning up the mines to prevent another spill.

She added that these mining challenges are "in no way unique to Colorado, ... and we will be looking at them more broadly." She also said there are multiple investigations being conducted on the incident by the agency, including an internal one, to understand what exactly occurred with the contractor.

Rep. Ben Lujan, D-N.M., who joined McCarthy at a press conference Wednesday, said he will be part of an effort in the Congress to address the long-term implications of the crisis. Lujan, along with the entire New Mexican Democratic delegation, had criticized EPA for its lackluster response to the incident, and pressed McCarthy to oversee the response efforts in the western states.



"The response that we are seeing is different than how we got started," Lujan said. But he said there is still a "responsibility in the Congress to address all of the mines that have to be cleaned up, to make sure sites that need to be designated as Superfund sites get that designation, so those resources are made available, and so we are addressing all those abandoned mines, so this problem does not happen again."

Others, like Rep. Rob Bishop of Utah, the Republican chairman of the House Natural Resources Committee, said he is readying oversight hearings once Congress comes back into session in September. Both Sens. James Inhofe, the GOP chairman of the Senate environment committee, and Barbara Boxer, the Democratic ranking member on the committee, expressed concerns this week over the incident and the need for it to be addressed by their panel.

EPA has come under criticism, not only for creating the spill, but for failures in coordinating its clean-up response.

McCarthy said she will brief the White House on the crisis Friday. She wasn't sure if President Obama would make a statement, but said when it comes to EPA, "nobody wants to do this the right way more than we do."

McCarthy also told reporters that the agency wasn't discouraged in its efforts by media accounts that the Navajo Nation was preparing to sue the agency over its response.

She said EPA is used to getting sued. She said she had met with Navajo officials and the lawsuit didn't come up in those conversations.

The data still needs to be checked, but it "gives us a sense that we are on a trajectory" toward improvement, she said. "But clearly we need to continue to work, not just short term, to look at every segment of the river moving forward," McCarthy added. "EPA is in it for the long haul as well."

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**Washington Times**

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<http://www.washingtontimes.com/news/2015/aug/14/gov-hickenloopers-big-gulp-polluted-animas-river-s/>

## **Gov. Hickenlooper's big gulp from polluted Animas River slammed by health official**

By Valerie Richardson

Friday, August 14, 2015

DENVER—Colorado Gov. John Hickenlooper's big gulp of water from the formerly orange Animas River wasn't just icky, it was "reckless and irresponsible," said New Mexico's top environmental official.

New Mexico environment department secretary Ryan Flynn said Mr. Hickenlooper's decision to fill up his water bottle from the site of the EPA's 3-million-gallon wastewater spill in Durango, Colorado, sends the wrong message.

Two Young entrepreneurs just revealed their part to what Cisco is calling a \$19 Trillion opportunity

"If it's true, it's a reckless and irresponsible act by a public official," said Mr. Flynn in the Farmington (N.M.) Daily Times. "He might as well stick 15 cigarettes in his mouth and light them all at the same time and take a picture about how that's good for you."

Mr. Flynn noted that nobody should drink water directly from a river, even one that hasn't been flooded with acidic drainage, although Mr. Hickenlooper did put a tablet of iodine in his water bottle first to kill germs before dipping it into the river.

Mr. Hickenlooper's drink, filmed by the Durango Herald, was aimed at proving that the Animas River is safe for rafting and other recreational watercraft, a huge part of Durango's tourism

business, but the move has also generated criticism.

The conservative website Colorado Peak Politics called it an “idiotic press stunt,” given that EPA officials have not yet released complete data from testing on the water’s quality in the aftermath of the Aug. 5 accident.

EPA administrator Gina McCarthy said during her Wednesday visit to Durango that the Animas River is back to pre-spill conditions, although other agency officials said the Gold King Mine continues to emit 500 to 700 gallons per minute.

That wastewater is being captured in settling ponds outside the mine and treated before entering the Animas, said EPA Region 8 administrator Shaun McGrath.

**From:** Ludwigsen, Emily  
**Sent:** Friday, August 14, 2015 12:31 PM  
**Subject:** RE: CO Mine Clips - 8/14

**CBS**

<http://www.cbsnews.com/news/colorado-mine-owner-contaminated-wastewater/>

**Mine owner makes surprising claim about spilled wastewater**

CBS News

August 14, 7:27AM

Last week's mine waste spill in southwestern Colorado was not expected by the mine's owner, CBS Denver reports.

"Disbelief, just utter devastation, a little bit of incomprehension when I first saw the pictures last Thursday," mine owner Todd Hennis said.

EPA workers accidentally released three million gallons of contaminated wastewater while inspecting the Gold King Mine.

Hennis said the water did not originate with the Gold King but seeped into it from an adjacent mine, the Sunnyside. Its owners deny any responsibility.

Hennis said the EPA forced him to allow access to his mine four years ago. He did not want to give the EPA access to investigate the leakage from his mine but said he was fined daily.

"When you're a small guy and you're having a \$35,000-a-day fine accrue against you, you have to run up the white flag," he said.

The EPA's work to investigate the discharge from the mine was not completed last year, so Hennis said they plugged it up, and when they reopened it last week millions of gallons came gushing out. He couldn't believe it.

New results from the EPA give an idea of just how many toxic chemicals were released.

Testing from the river hours after the spill shows the amount of lead in the water was more than 3,500 times the limit that is safe for humans. The arsenic levels were 823 times above the limit. And cadmium levels were 33 times higher.

Hennis is coming forward to say this could have been avoided.

"I had initial hesitation on going public with this with visions of mobs and pitchforks and torches," Hennis said.

But now he is grateful that the EPA has taken full responsibility for this environmental nightmare.

**From:** Ludwigsen, Emily  
**Sent:** Friday, August 14, 2015 11:21 AM  
**To:** Gong, Kristiene  
**Subject:** FW: CO Mine Clips - 8/14

**From:** Ludwigsen, Emily  
**Sent:** Friday, August 14, 2015 10:58 AM  
**Subject:** RE: CO Mine Clips - 8/14

**Associated Press (via ABC News)**

<http://abcnews.go.com/Technology/wireStory/national-challenge-leaking-mines-dwarfs-colorado-spill-33078587>

**National challenge of leaking mines dwarfs Colorado spill**  
Matthew Brown, Michael Biesecker, P. Solomon Banda  
August 14, 5:38 AM ET

It will take many years and many millions of dollars simply to manage and not even remove the toxic wastewater from an abandoned mine that unleashed a 100-mile-long torrent of heavy metals into Western rivers and has likely reached Lake Powell, experts said.

Plugging Colorado's Gold King Mine could simply lead to an eventual explosion of poisonous water elsewhere, so the safest solution, they said Thursday, would be to install a treatment plant that would indefinitely clean the water from Gold King and three other nearby mines. It would cost millions of dollars, and do nothing to contain the thousands of other toxic streams that are a permanent legacy of mining across the nation.

Federal authorities first suggested a treatment plant for Gold King more than a decade ago, but local officials and owners of a nearby mine were reluctant to embrace a federally-sponsored cleanup.

"They have been not pursuing the obvious solution," said Rob Robinson, a retired abandoned mines cleanup coordinator for the U.S. Bureau of Land Management. "My hope is this has embarrassed the hell out of them and they're going to finally take it seriously."

The Gold King delay illustrates a problem dwarfing the 3 million-gallon waste plume accidentally released by contractors working for the U.S. Environmental Protection Agency: There are about 500,000 abandoned mines nationwide, and only a fraction have been dealt with, despite decades of effort.

EPA has estimated the cost of cleaning up abandoned mines nationwide, not including coal mines, at between \$20 billion and \$54 billion.

Many of the abandoned mines — including in the Silverton area where Gold King is located — were developed after an 1872 federal mining law encouraged development and allowed people to lay claim to minerals beneath public lands.

They've since become legacies of the industry's boom-bust cycles, in which companies fold up operations when metals prices fall, leaving behind sources of toxic wastewater that chronically leave rivers barren and taint drinking water supplies.

Of the abandoned mines in the U.S., more than 48,000 had been inventoried through the BLM's

Abandoned Mine Lands program, which began after new federal laws focused on environmental protection in the 1960s, 1970s and early 1980s.

But only about one in five of the inventoried mines is being cleaned up or requires no more action. More than 38,000 await further analysis or work, according to the bureau.

Under the federal Clean Water Act, the mine owner is supposed to control discharges, but Gold King's landowner, Todd Hennis, is not considered legally responsible for the cleanup because the mine stopped operating in 1923, long before the modern era of environmental protection.

"A lot of these are Mom and Pops, they've inherited the property or they bought it years ago before the environmental laws were passed, and they just don't have the resources," said Doug Jamison, with the hazardous materials division at Colorado's state health department.

In Colorado alone, there are hundreds, possibly thousands of abandoned mines discharging acid rock drainage, Jamison said. The potent stew of heavy metals accumulates as chemical reactions brew up sulfuric acid at concentrations high enough to dissolve steel, and leach poisons down mountainsides and into groundwater decades after mines close.

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### **Daily Signal**

<http://dailysignal.com/2015/08/14/why-the-epa-should-be-held-responsible-for-the-gold-king-mine-spill/>

### **Why the EPA Should Be Held Responsible for the Gold King Mine Spill**

Katie Tubb

August 14, 10AM ET

Companies should be held responsible for damage they cause to the environment.

But what if it's the government that has caused the damage?

Recently the Environmental Protection Agency was responsible for a massive chemical spill into the Animas River in Colorado (an estimated 3 million gallons of wastewater were spilled).

Health impacts are uncertain from the spill, as levels of lead, arsenic, and other dangerous metals are reportedly hundreds of times higher than accepted levels by Colorado and New Mexico government standards. Some reports state the chemical levels could even be as much as 12,000 times higher than normal.

Irrigation channels from the Animas to farms have been closed, causing concerns as far away as California about water availability for crops.

In addition to the serious health concerns raised by the spill, businesses depending on the river have been put on hold. Drew Beezley of 4 Corners Whitewater said he's canceled 20 rafting trips and fears he will be out \$10,000 in lost business.

"Imagine what would happen if a private company caused this waste spill," remarked New Mexico Gov. Susana Martinez, who found out about the spill only a day after it occurred.

### The White House's Silence

The EPA's response has been less than satisfactory. Though the EPA has claimed clear responsibility and remorse for the spill, it has been notably slow in informing the public, heightening frustrations.

For example, despite being in the plume's direct pathway, the New Mexico government wasn't notified by the EPA until a full day after the EPA knew of the spill. Further, it has yet to



explain—nine days after the fact—exactly how and why the massive spill happened.

The White House has been altogether silent on the massive spill, a silence others have picked up on, considering Obama’s vociferous response to the Deepwater Horizon blowout and subsequent oil spill in 2010.

Obama said at the time that he was talking with people to “know whose [rear] to kick,” and Secretary of Interior Ken Salazar described the government’s job as to “basically keep the boot on the neck of British Petroleum.”

Obama then took action not only deal with the spill, but to halt all oil and gas activities on the Gulf Coast, a decision that had enormous economic consequences for large and small businesses along the Gulf.

EPA Doesn’t Face Same Consequences as the Business Would

Companies found in violation of the Clean Water Act pay for mitigation and repairs, as well as millions in fines to the EPA and states.

For example, Arch Coal Inc. paid \$2 million in fines for discharging mine refuse into waters, and XTO Energy paid \$2.3 million for discharging dredge and fill material.

Companies should certainly be responsible for the environmental damage they cause, but the difference is that when any other business causes an accident, they pay for it.

While many are quick to use accidents like the BP oil spill to condemn capitalism and profits, the EPA’s spill at Gold King Mine in Colorado should illustrate the problems of socializing the cost of accidents.

In the case of the Gold King Mine, the EPA and Congress will have to pay for mitigation, repairs, and settlements—which is another way of saying every U.S. taxpayer will pay for it.

Likely responding to criticisms of a double standard by the government in how it treats private companies in the case of environmental disasters, EPA Administrator Gina McCarthy said “We will hold ourselves to a higher standard than anyone else.”

That’s a good start, but oversight and investigation into what happened and why more importantly needs to come from outside the EPA.

The EPA must be held responsible for its actions, carrying the full responsibility by paying for costs and damages out of its own budget. Decisions about how to move forward should ultimately be given to the states impacted.

The states, of course, have to live with the consequences and, as with all good environmental policy, should be able to determine the “what to do, how to do it, and when to do it” that best meets the unique concerns and interests of local populations.

### **Fox 13 Salt Lake City**

<http://fox13now.com/2015/08/13/toxic-mine-waste-reaches-utah-but-state-officials-say-water-is-safe-for-recreation/>

### **Toxic mine waste is in Utah, but state officials say water is OK for recreation**

Max Roth and Mark Green

August 13, 7:57PM

SALT LAKE CITY — The Utah Division of Water Quality says the plume of mine waste from the Gold King Mine in Colorado reached Utah on Monday, but they also said it doesn’t seem to

pose a serious health threat for the time being.

The press release dated August 12 is attributed to Craig Dietrich, a toxicologist with the Environmental Epidemiology Program. It said in part:

“Estimated recreational exposure dosages fall below health-based guidelines for these contaminants. Therefore, the EEP currently finds that exposure to the contaminants of the San Juan River tested on August 8 and 9, 2015 by UDEQ are not expected to result in adverse health effects for people recreating in the waters, nor for livestock or crops watered by the San Juan River. The EEP does recommend that recreational users carry their own drinking water and not rely on filtering or purifying river waters.”

Gov. Gary Herbert declared a state of emergency because of drinking water concerns on the Navajo Reservation and elsewhere. The declaration allows the state to get federal funds to respond to the incident.

The Governor struck a conciliatory tone on the topic Thursday, saying, “We can cry over spilled milk, or we can just clean up the milk, so the efforts have to be on getting it cleaned up and rehabbing what we need to do in the river, and making sure that the public safety is first and foremost in our minds.”

In an update dated August 13, the DEQ released data tables and a summary of their findings, stating that, “six contaminants exceeded screening values: aluminum, arsenic, barium, iron, lead, and manganese.” The update reiterated that they do not expect adverse effects for people, livestock or crops but still recommend recreational users carry their own drinking water.

The DEQ added that long-term impacts are made less severe due to several factors, including chemistry in streams that will cause most metals to settle. The alkaline conditions in the Animas and San Juan rivers and large quantities of sediment mean most metal will stay attached to particles and not pose a risk to aquatic life or people.

They further state the total volume of the spill “constitutes less than 1 percent of the daily flow in

the San Juan River. The relative threat of exposure to toxic metals diminishes as these metals become diluted and dispersed in water. ”

Higher flows enhanced by intentional dam releases have also helped reduce exposure to toxins released from the mine, and the fact the San Juan River carries large amounts of sediment downstream makes it more likely that metals that make it to Lake Powell will be buried—“minimizing the potential for these substances to negatively affect the fish and other wildlife that use the lake.”

### **Indian Country Today Media Network**

<http://indiancountrytodaymedianetwork.com/2015/08/14/navajo-nation-weeping-toxic-mining-spill-flows-through-reservation-161395>

### **Navajo Nation 'Weeping' as Toxic Mining Spill Flows Through Reservation**

Alysa Landry

August 14, 10:40AM

Just days after a U.S. Environmental Protection Agency (EPA) crew accidentally released more than three million gallons of mustard-colored wastewater into a tributary of the Animas River, Navajo President Russell Begaye stood on the unstable ground at the site of the breach.

“I looked into this black hole, and yellow water was coming out,” Begaye said on Thursday August 13 when he and Vice President Jonathan Nez sat down for an exclusive interview with Indian Country Today Media Network.

“It was like orange juice,” he said. “Pure yellow. Like Tang.”

Begaye and a team of Navajo officials, including experts from the tribe’s environmental protection agency, were visiting Gold King Mine, one of roughly 500,000 abandoned mines in the hills of southern Colorado. The mine, near Silverton, had been inactive since about 1920.

There, on August 5, an EPA crew was attempting to pump contaminated liquid out of the abandoned mine by inserting a pipe into debris that blocked the entrance.

The crew underestimated the pressure and volume built up behind the blockage, and when workers removed too much debris the roof ruptured, releasing a plume of toxic waste into Cement Creek, which drains into the Animas River. The polluted waters were carried along the Animas River, through Durango, Colorado, and then flowed into the San Juan River in Farmington, New Mexico, on the morning of Saturday August 8.

By Saturday afternoon that plume had reached the Navajo Nation, a sprawling, 27,000-square-mile reservation that spans portions of three states. Roughly 215 miles of the San Juan River flows across Navajo land, Begaye said, and thousands of residents will feel the impact of the spill.

“We use the river extensively,” he said. “For us it’s not just recreational purposes. Our cattle, our livestock, our medicine people use it. Our farmers rely on it, and it’s a source of drinking water. Our whole economy along the river is based on it.”

By Sunday August 9, Begaye and Nez were standing at the mine, directing staff to take photos and video of the breach and collect samples of soil and water. Those samples will be used in a lawsuit the Nation plans to file against the EPA, claiming the federal agency failed for two decades to address the hazardous site.

Since the 1990s, federal and state agencies have pushed for a Superfund designation for the site, believing it the obvious approach for cleanup. But locals, believing that Superfund status would come with a certain stigma that could dampen tourism, resisted.

The Navajo Nation is preparing to file the lawsuit now, Begaye told ICTMN.

“We have to,” he said. “The EPA knew this area was dangerous. They knew it was a calamity about to happen. There’s so much the EPA could have done but didn’t, and now we’re suffering from it, and we may be suffering from it for decades.”

One week after the spill, EPA Administrator Gina McCarthy toured the area and visited the river, which is no longer the bright orange color it was. On Wednesday she met with officials in Colorado, and on Thursday she met privately with Navajo leaders before hosting a press conference on the banks of the river in Farmington, N.M.

“The Animas River ... has actually returned back to pre-incident conditions,” she told a crowd of news reporters. “It gives us the sense that we are on a different trajectory than we were before. ... The very good news is that we’re seeing that the river is restoring itself.”

McCarthy said the EPA takes “full responsibility” for the spill, and that it has set up a unified command center and is sampling the water and sediments before releasing a statement about health concerns. All of the senior EPA leadership is “on the ground,” she said, and the agency is committed to continue working at “every segment of the river” to determine what needs to be done.

“EPA is in it for the long haul,” she said. “We are taking full responsibility, and over time we’ll take a look at it and have a transparent, independent analysis of what happened and how we make sure it never happens again.”

Although the EPA was in the process of cleaning the Gold King Mine at the time of the breach, it did not cause the initial contamination, McCarthy noted.

“It’s certain that the three million gallons wasn’t EPA’s,” she said. “We need to keep looking at these mines.”

Early tests of the water found that the level of lead was 12,000 times higher than normal. It also contained extremely high levels of arsenic, cadmium, beryllium, mercury, zinc, iron and copper. In preliminary statements about contamination and cleanup, the EPA estimated it could take decades to rid the river and its sediments of toxins.

It's difficult to estimate the number of people affected by the contaminated river, Begaye said, and the toll on human lives—and livelihoods—is just beginning.

“Whatever was inside the mine after years of looking for gold, whatever chemicals they left behind, that's all in our water now,” he said. “When I go out and talk to community members, they're weeping.”

For Begaye, who grew up in the small Navajo community of Shiprock, seeing yellow water spew from the rock brought back memories of past traumas. This stark, desert landscape in post World War II era boomed with the uranium industry—which resulted in devastating environmental and health problems for thousands of Navajos.

Uranium, also known as yellow cake, left a legacy of pain on the reservation, Begaye said. Mining companies and federal agencies alike failed to properly address the health concerns, and many sites still have not been cleaned up.

Begaye recalls a uranium spill in the San Juan River when he was a child in the 1960s. After seeing fish floating, lifeless, in the currents, he and some friends jumped into the river to catch them. He didn't find out until this week that a nearby uranium mill had leaked radioactive material into the river.

“Today, for the first time, I was told there was uranium spillage,” he said. “All those fish died in the river, and no one told us. Today is when I found out that I swam in a radioactive river with all the other children. In this case [Gold King Mine], we will not allow this to happen.”

Begaye has launched a series of incident command posts on the reservation. Called Operation Tó Litso, or Yellow Water, the posts will serve as hubs for all calls, dispatch services and other resources. These command posts are open in Shiprock, as well as Aneth and Oljato, both in Utah.

Meanwhile, Begaye is urging people to keep themselves and their livestock away from the river

until tests are complete, regardless of what the EPA says about short-term water quality.

“We don’t know how long we will have to wait until we have complete certainty that it’s clean,” Begaye said. “We’re sitting here with a lot of uncertainty.”

**From:** Ludwigsen, Emily  
**Sent:** Friday, August 14, 2015 10:19 AM  
**Subject:** RE: CO Mine Clips - 8/14

The Durango Herald, Wall Street Journal (2), The Farmington N.M. Daily Times, LA Times, Newser, TIME

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**The Durango Herald**

<http://www.durangoherald.com/article/20150813/NEWS01/150819843/Lawmaker-considers-bill-to-sue-EPA->

**Lawmaker considers legislation to sue EPA**

Peter Marcus  
August 14, 1AM ET

ep. Don Coram said he is considering introducing legislation next year that would empower the attorney general’s office to file a lawsuit against the Environmental Protection Agency after the Animas River spill.

Coram, a Republican from Montrose, said he wants to make sure Republican Attorney General Cynthia Coffman has “all the tools” she needs to file a lawsuit against the agency.



“Colorado must have every option on the table to recover damages from the EPA at any time in the future,” Coram said. “I am exploring legislation that ensures Attorney General Coffman will have the full support of the Legislature to file suit against the EPA to make the citizens impacted by this disaster whole.”

During a visit to Durango on Wednesday, Coffman said she is exploring the possibility of a lawsuit, but she stopped short of saying that she believes one is warranted. Coffman was not sure whether a lawsuit would even be valid, especially considering immunity laws provided to government agencies.

“I don’t count out the possibility that I ... might in fact be looking at a claim against the EPA and the federal government,” Coffman said during an event at Rotary Park with attorneys general from New Mexico and Utah. “But it’s too soon to know that.”

Meanwhile, Rep. J. Paul Brown on Thursday said he would make himself available to the public to assist with navigating the aftermath of the Animas River spill.

Brown, a Republican from Ignacio, is offering his cellphone, 759-4157, and email address, [brownjpaul@yahoo.com](mailto:brownjpaul@yahoo.com).

“Like every citizen that is affected by the EPA’s careless contamination of the Animas River, I am very concerned about the long-term impacts of the heavy metals released into this region’s water supply. I have been in close contact with local and EPA officials and want citizens to know I am available to answer questions or discuss concerns at any time,” Brown said.

State and federal authorities said this week water quality in the river returned to pre-event conditions after the Environmental Protection Agency caused an estimated 3 million gallons of mining sludge to pour into the Animas, turning it a nauseating mustard-yellow color. Initial results showed a spike in heavy metals. The river remained closed on Thursday, as federal and state officials await the results of sediment testing.

Impacts to individuals and the community are just being documented. The EPA has established a

claims process for damages related to the spill, such as if a rafting company had to close. Farmers also were forced to shut irrigation ditches and domestic water wells may have been impacted.

“We need to measure and document every aspect of this disaster’s impact on our economy and hold the EPA fully accountable,” Brown said.

### **Wall Street Journal**

<http://www.wsj.com/articles/epa-contractor-involved-in-colorado-spill-identified-as-environmental-restoration-1439414672>

#### **EPA Contractor Involved in Colorado Spill Identified as Environmental Restoration**

Amy Harder, Alexandra Berzon, Jennifer S. Forsyth

August 13, 6:39PM ET

Missouri-based Environmental Restoration LLC was the contractor whose work caused a mine spill in Colorado that released an estimated three million gallons of toxic sludge into a major river system, according to an Environmental Protection Agency official and government documents reviewed by The Wall Street Journal.

The EPA, which was overseeing the servicing of the mine, had previously said an unnamed outside contractor was using heavy equipment when it accidentally triggered a breach in the abandoned Gold King Mine, letting out wastewater that had built up inside it.

“Environmental Restoration LLC was working at the direction at EPA in consultation with the Colorado Division of Reclamation, Mining and Safety,” an EPA official said on Wednesday.

Environmental Restoration President Dennis Greaney in a written statement released on Thursday said the company couldn’t provide additional information about the incident, citing a

confidentiality agreement it signed with EPA. It did confirm that company representatives were at the mine site at the time of the breach.

According to various government documents, Environmental Restoration had signed an agreement to provide emergency protection from pollutants from the Gold King Mine, near Durango, Colo., in the southwestern part of the state. The spill has fouled the nearby Animas River, turning its water mustard yellow in the initial several days after the spill on Aug. 5.

The money to fund the Gold King Mine cleanup comes out of EPA's Superfund budget, according to Scott Sherman, a former deputy assistant administrator at EPA during the George W. Bush administration who oversaw Superfund and other waste programs.

Environmental Restoration is one of the largest EPA emergency cleanup contractors. It is the main provider for the EPA's emergency cleanup and rapid response needs in the region that covers Colorado, as well as in several other parts of the country. It worked on the cleanup for some of the highest-profile disasters in recent history, including the aftermath of Hurricane Katrina, the Sept. 11, 2001, terrorist attack ground zero cleanup, and the Deepwater Horizon Gulf of Mexico spill remediation, according to the company's website.

From October 2007 through this month, Environmental Restoration has been awarded \$381 million in federal contracts, according to government procurement data compiled on [USAspending.gov](http://USAspending.gov). The vast majority—more than \$364 million—of that total was for work for the EPA. About 10%, or \$37 million of the EPA's awarded amount, was for contracts within the state of Colorado.

The Gold King mine wasn't a designated Superfund cleanup site, which would have required far more funding. Rather, Environmental Restoration was trying to stop wastewater from escaping the mine at the time of the breach, government documents indicate.

The massive spill—which resulted in dramatic images of mustard-colored wastewater laced with heavy metals—highlights the market for environmental cleanup firms, a lucrative government contracting business. The company was listed by an engineering trade publication last year as one of the top 100 environmental firms in the country, with revenue estimated at close to \$80 million.

## **Wall Street Journal**

<http://www.wsj.com/articles/notable-quotable-yellow-river-1439506537>

### **Notable & Quotable: Yellow River**

Dave Taylor

August 13, 6:55PM ET

From a letter to the editor in the Silverton (Colo.) Standard published July 30 regarding an Environmental Protection Agency plan to plug a leaking mine in the area; on Aug. 5 the EPA, trying to stop a leak at the nearby Gold King mine, accidentally released three million gallons of toxic wastewater into Cement Creek, which feeds into the Animas River, turning it bright yellow:

Based on my 47 years of experience as a professional geologist, it appears to me that the EPA is setting your town and the area up for a possible Superfund blitzkrieg. . . .

Here's the scenario that will occur based on my experience:

Following the plugging, the exfiltrating water will be retained behind the bulkheads, accumulating at a rate of approximately 500 gallons per minute. As the water backs up, it will begin filling all connected mine workings and bedrock voids and fractures. As the water level inside the workings continues to rise, it will accumulate head pressure at a rate of 1 PSI per each 2.31 feet of vertical rise. As the water continues to migrate through and fill interconnected workings, the pressure will increase. Eventually, without a doubt. The water will find a way out and will exfiltrate uncontrollably through connected abandoned shafts, drifts, raises, fractures and possibly talus on the hillsides. Initially it will appear that the miracle fix is working.

“Hallelujah!”

But make no mistake, with in seven to 120 days all of the 500 gpm flow will return to Cement Creek. Contamination may actually increase due to the disturbance and flushing action within the workings.

The “grand experiment” in my opinion will fail. And guess what [the EPA] will say then?

Gee, “Plan A” didn’t work so I guess we will have to build a treatment plant at a cost to taxpayers of \$100 million to \$500 million (who knows). . . .

God bless America! God bless Silverton, Colorado. And God protect us from the EPA.

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**The Farmington, N.M. Daily Times (via USA Today)**

<http://www.usatoday.com/story/news/nation/2015/08/13/epa-water-quality-returning-normal-after-colo-spill/31677077/>

**EPA: Water quality returning to normal after Colo. Spill**

Hannah Grover and Noel Lyn Smith

August 14, 5:23AM ET

FARMINGTON, N.M. — Water quality tests on the Animas River in Colorado indicate heavy metal levels are returning to normal after a spill last week released 3 million gallons of contaminated mine wastewater into the river, officials said.

The Environmental Protection Agency samples were analyzed for 24 different metals commonly found in mine waste, including arsenic, cadmium, lead and mercury.

The EPA has not yet released information from tests done in New Mexico.

City of Farmington tests on Animas River water that were released Wednesday showed lead levels slightly above what is considered safe for drinking water. Those tests also showed levels of secondary metals, including manganese and iron, that were above the New Mexico safe-water standards. Other than lead and secondary metal contaminants, which mainly affect taste and color, everything was within the standards, officials said.

But city officials stressed Thursday that the testing was on river water and the city's drinking water has not been affected and is safe to drink.

EPA and contract workers accidentally unleashed 3 million gallons of contaminated wastewater on Aug. 5 as they inspected the idled Gold King Mine near Silverton, Colo. The toxic plume affected communities in Colorado, New Mexico and Utah.

Test results from an area just south of Silverton show spikes in arsenic, copper, zinc, manganese and cadmium starting Aug. 5, according to graphs provided by the EPA. The graphs also show spikes in copper, zinc and manganese near Baker's Bridge north of Durango, Colo., when the plume moved through the area.

Other metals targeted by the EPA tests include magnesium, potassium, aluminum, sodium, calcium, iron, beryllium, antimony, chromium, molybdenum, cobalt, barium, thallium, nickel, selenium, silver and vanadium.

In a news conference Thursday in Farmington, EPA Administrator Gina McCarthy said the agency hopes results from testing on the Animas River in New Mexico will be released soon.

"We continue to see good news there, but I don't want to pre-judge that," she said. "That is science that needs to continue. We want to make sure that all that data is quality controlled, that we put it in a context that people can understand."

Results released Wednesday indicated water in the Animas River in La Plata County, Colo., has returned to pre-incident conditions.

"It gives us a sense that we are on a different trajectory than we were before, but clearly we need to continue to work not just short term to look at every segment of the river moving forward," McCarthy said.

She said the federal agency will continue working with local communities to accomplish that goal.

McCarthy also met with Navajo Nation President Russell Begaye and other tribal officials Thursday and said the agency remains committed to assisting the tribe.

Elsewhere, Utah officials said that contaminated water from a mine spill has likely reached Lake Powell, but the plume is no longer visible and authorities haven't confirmed the presence of heavy metals in the waters of the reservoir.

### **LA Times**

<http://www.latimes.com/nation/la-na-river-spill-20150814-story.html>

### **Toxic spill brings calamity to Colorado summer tourist town of Silverton**

Nigel Duara

August 14, 4:00AM

Before a hushed City Council at the town hall, the man who accidentally unleashed poisons from the earth explained how it all happened.

His name is Hayes Griswold, a 28-year veteran of the Environmental Protection Agency, and on

Aug. 5, he and a small crew were working on a defunct gold mine near Silverton called the Gold King.

According to a transcript of the Monday meeting reviewed by the Los Angeles Times, the plan was to do some minor excavation work and insert a pipe as part of a cleanup effort. Griswold used a backhoe to dig into the material in front of him, but, he told the assembled council members, he pulled too much "unconsolidated material" from the ceiling of the mine's mouth.

He spotted a small trickle of clean water. His experience told him one thing: run.

He knew that if water were pushing its way through the small excavation he had done, there was much more pressure behind the walls than he and the rest of his crew first believed. The giant cement "plug" that closes a mine was about to give way.

"We blew out unconsolidated material, which blew the plug," Griswold said.

It's unclear how long it took, but soon enough, a wall of orange water 20 feet high exploded from the open mine's mouth. Wastewater treatment ponds where pollutants settle were overwhelmed.

And that, in short, is how arsenic, cadmium, lead, aluminum and copper ended up in Cement Creek and then the Animas River, initially flowing at 5 mph on its way toward New Mexico and Utah. It's unknown how long the cleanup will take or how much it will cost. The EPA, which says the river is returning to normal levels, has assumed full responsibility.

"We don't have experience with this type of river," said EPA Region 8 Assistant Regional Administrator Martin Hestmark at the council meeting.

And now the small summer tourist town in the San Juan Mountains is under siege. For decades, its residents have lived next to a ticking time bomb, as water accumulated in a major pipe underneath the earth. The pipe was built under the mines on Bonita Mountain, including the



Gold King Mine, to help extract ore and was eventually sealed off. Water began to build up in the pipe till it burst out last week.

In Silverton, full-time residents amount to about 500 people, on mostly packed-dirt roads in the small, rural community.

"It's the real 'Northern Exposure' up here," said Mark Esper, editor of the Silverton Standard & the Miner newspaper.

The knowledge that rising water levels in the pipe could have a catastrophic effect on Silverton and cities downstream — including Durango, Colo., and Farmington, N.M. — has been a given here.

The town takes particular pride in its drinking water, which comes straight from the Rockies.

"We laugh at tourists drinking bottled water here," said DeAnne Gallegos, director of the Silverton Chamber of Commerce. "We are where water is made."

The area is rugged, but that's part of the appeal. "It is an extreme soul who chooses to make this base camp," Gallegos said. "This is our home."

Thus, the disaster has struck at the three essential pillars that support Silverton's image of itself: its mining history, its pristine drinking water and its tourism dollars.

On Thursday, the Cement Creek fed clear, blue water into the Animas River. A week earlier, this scene looked like someone dumped a truckload of Tang into the water supply.

Even before the spill, Cement Creek, which runs through the middle of Silverton, had long been

regarded as wastewater.

"No one's recreating in Cement Creek if they know what's good for them," said San Juan County spokesman Anthony Edwards.

This is how it works: Water inside the mountains gets progressively more acidic as it draws off sulfide, which is the primary element in the San Juan Mountains.

A place like Cement Creek is a victim of such "loading" of heavy minerals. No fish live in Cement Creek. But when the creek merges into the larger Animas River, water quality improves and, downriver, the Animas is a favorite of anglers and kayakers.

But now the spill has locals wondering when the water will be clean again.

The images of toxic-laden water rushing south has done serious damage to this area, which fought an EPA designation as a Superfund hazardous-waste site, in part because of its impact on Silverton's image.

Now, Edwards said, the news has already resulted in some cancellations of hotel rooms in the future, though the full picture of the mine disaster's effect on tourism won't be clear for weeks, if not months.

Even as Gallegos tries to convince nervous callers that Silverton's drinking water is perfectly safe — its source is upriver from the spill site and wasn't affected — she knows she can provide all the facts she wants: For tourism, it's belief that matters.

The mine spill did play directly into one image this town maintains: that of a corrupt EPA that had designs on taking over the mines and their land as part of a larger federal government land grab.

"The government knew what they were doing when they caused that spill," said Doolie Smith, 46, a bartender at Avalanche Brewing in Silverton. "They've been radaring us and surveying this land for years, and now they get what they want."

For now, the town is hoping for a wet fall and a good snowpack, anything to get the minerals moving down the river, off its banks and out of its stream bed.

On Thursday, for the first time since the spill on the flat marsh where the Cement meets the Animas, it began to rain.

### **Newser**

<http://www.newser.com/story/211332/it-will-take-years-to-deal-with-leaking-colo-mine.html>

### **It Will Take Years to Deal With Leaking Colo. Mine**

Newser Editors and Wire Services

August 14, 4:39AM CDT

It will take many years and many millions of dollars simply to manage and not even remove the toxic wastewater from an abandoned mine that unleashed a 100-mile-long torrent of heavy metals into Western rivers that has likely reached Lake Powell, experts say. Plugging Colorado's Gold King Mine, which is still leaking, could simply lead to an eventual explosion of poisonous water elsewhere, so the safest solution, experts say, would be to install a treatment plant that would indefinitely clean the water from Gold King and three other nearby mines. That would cost millions of dollars and do nothing to contain the thousands of other toxic streams that are a permanent legacy of mining across the nation.

Federal authorities first suggested a treatment plant for Gold King more than a decade ago, but local officials and owners of a nearby mine were reluctant to embrace a federally sponsored cleanup. The Gold King delay illustrates a problem dwarfing the waste plume accidentally released by contractors working for the EPA: There are about 500,000 abandoned mines nationwide, and only a fraction have been dealt with, despite decades of effort. Utah officials,

meanwhile, say the plume has likely reached Lake Powell, although it has been diluted on the 300-mile journey to the reservoir and lost the bright yellow color seen closer to the site. State authorities say tests suggest the spill has dissipated enough that the water is safe to drink, though they continue to warn people not to use it for irrigation or livestock water.

## **TIME**

<http://time.com/3996974/navajo-nation-spars-with-epa-over-animas-river-disaster-compensation/>

### **Navajo Nation Spars With EPA Over Animas River Disaster Compensation**

Aditya Agrawal

August 13, 7:32PM

Navajo Nation president Russell Begaye has ordered Navajo citizens not to use an “offending” damage-claims application released by the Environmental Protection Agency (EPA), a week after EPA crew released over 3 million gallons of contaminated wastewater into the Animas and San Juan rivers.

The EPA allows people to claim compensation for “personal injury or property damage” caused by the incident using a Standard Form 95, released Tuesday on its website

At the bottom of the first page, the form contains the disclaimer: “I [. . .] agree to accept said amount in full satisfaction and final settlement of this claim.”

Begaye has criticized the fact that the form contains “offending language.” “Once the claim is made it will only be for the claims suffered to date and precludes future claims,” he said.

The Navajo President said he sees damages from the spill to continue piling up for at least the rest of the year. The Navajo Nation is attempting to negotiate modified terms of compensation with the EPA.

Begaye told TIME on Wednesday that EPA officials had said that it would take “decades” for a full clean up of the San Juan river, and Navajo populations living along the river may have to live in uncertainty until then.

The EPA refused to confirm this exchange.

The form is “not required to present a claim, but is a convenient format for supplying the information necessary,” the EPA said in a statement.

However, EPA spokeswoman Liz Purchia could not provide information about alternate ways of applying for compensation. That information is also unavailable on its damages webpage.

Correction: The original version of this story misspelled the last name of the EPA spokeswoman. Her name is Liz Purchia.

**From:** Ludwigsen, Emily  
**Sent:** Friday, August 14, 2015 9:51 AM  
**Subject:** CO Mine Clips - 8/14

Associated Press, Denver Post, Durango Herald (2), New York Times  
Colorado Public Radio, KOB

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**Associated Press (via Boston Globe)**

<https://www.bostonglobe.com/news/nation/2015/08/13/epa-test-results-show-mine-spill-unleashed-highly-toxic-stew/NJdNfpG1720yxwLHTbcP1N/story.html>

## **EPA tests reveal toxic stew in flow from Colorado mine**

Michael Biesecker, Matthew Brown and P. Solomon Banda

August 14

SILVERTON, Colo. — The US Environmental Protection Agency announced Thursday that surface-water testing revealed very high levels of lead, arsenic, cadmium, and other heavy metals as a sickly-yellow plume of mine waste flowed through Colorado.

These metals far exceeded government exposure limits for aquatic life and humans in the hours after the Aug. 5 spill, which sent 3 million gallons of wastewater through three states and the Navajo nation.

The EPA, which released the results after 2 a.m. Eastern time under increasing political pressure, said its analysis shows the heavy metals quickly returned to “pre-event levels” once the plume passed through the area it tested, on the Animas River between Silverton, Colo., and the downstream municipal water intake for Durango.

The abandoned Gold King mine had been slowly leaking a toxic stew for decades before an EPA crew accidentally unleashed a torrent of waste during an Aug. 5 inspection. EPA Administrator Gina McCarthy has taken full responsibility and promised that the agency will pay for any damage.

The agency tested for 24 metals at the river’s surface. One of the most dangerous, lead, was found below the 14th Street bridge in Silverton at more than 200 times higher than the acute exposure limit for aquatic life, and 3,580 times higher than federal standards for human drinking water.

Levels of arsenic were more than 24 times the exposure limit for fish and 823 times the level for human ingestion. Cadmium was found at more than six times the aquatic limit, 33 times that for humans.

The 100-mile-long plume has dissipated, its metals settling into riverbeds, during the 300-mile

journey toward Lake Powell, where the flow joins the Colorado River that supplies water to the Southwest.

McCarthy said Thursday that these results show that the river is restoring itself. She spoke during a visit to Farmington, N.M., where she announced that the EPA has released \$500,000 to supply clean water for crops and livestock in northwestern New Mexico.

McCarthy acknowledged the concerns of state, local, and tribal officials about the heavy metals now trapped in the river bed and along the banks, and promised to work on the sediment problem over the long term, but offered no specifics.

Outside specialists are warning of the potential for continued risk to wildlife and humans for many years as the toxic metals settle into river bottoms and seep into groundwater.

“Heavy rains or flash floods could release any lingering contaminated sediments now trapped in the Animas river bed,” said Marco Kaltoven, a Boston-based civil engineer specializing in water pollution.

Over the long term, these metals can seep into the water table, polluting drinking wells.

Attorneys general from Colorado, New Mexico, and Utah vowed to ensure citizens and towns are compensated, even if the full impact isn’t understood for many years.

“We have to be vigilant as attorneys general, as the lawyers for the state, as protectors of the environment, to be sure that the assurances that we received today from the Environmental Protection Agency are the same in two years, in five years, even 10 years when we discover what the damage to the environment actually is,” said Colorado’s attorney general, Cynthia Coffman.

The spill happened as an EPA-supervised crew inspected the Gold King mine, which was abandoned in 1923. There are hundreds of thousands of abandoned mines nationwide.

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**Denver Post**

[http://www.denverpost.com/environment/ci\\_28638259/hurdles-remain-at-gold-king?source=infinite](http://www.denverpost.com/environment/ci_28638259/hurdles-remain-at-gold-king?source=infinite)

**Animas River spill: Hurdles remain at Gold King**

Bruce Finley and Jesse Paul

August 14, 2AM

SILVERTON — Orange wastewater cascaded from the Gold King Mine on Thursday as heavy machinery echoed, digging a new waste pond.

Workers tossed chemicals into four existing ponds lined with plastic while Environmental Protection Agency responders walked around the cleanup site, now complete with portable toilets, a command post and pickup trucks moving in and out.

The EPA has yet to release its work order detailing precautions the crew was to take before the Aug. 5 spill. But other documents reviewed by The Denver Post show the EPA was acting on a growing awareness that state-backed work done from 1998 to 2002 on mines around Gold King had led to worsening contamination of Animas River headwaters.

The EPA was acting at Gold King after what, in an October document, the agency deemed a "time critical" effort to try to contain the increased toxic leakage — with elevated cadmium at 35 parts per billion, lead at 60 ppb and zinc at 16,000 ppb — from the nearby Red and Bonita Mine.

The state-backed work included plugging old mines with bulkheads, which state officials had allowed in a legal consent agreement with the owners of the Sunnyside Mine. The Sunnyside



was one of Colorado's largest underground mines before it closed in 1991.

Before it was plugged, flows from the Sunnyside were reported to be approximately 1,700 gallons per minute. That wastewater had backed up into other mines, causing worse toxic discharges. According to an EPA document, water quality in the Animas River had "degraded progressively since that time."

EPA supervisor Hays Griswold, at the scene of the blowout Aug. 5, provided some details of what happened when his crew triggered a 3 million-gallon deluge of acidic wastewater laced with heavy metals.

The plan they had "couldn't have worked," Griswold said in a Denver Post interview. "Nobody expected (the acid water backed up in the mine) to be that high."

A government work order typically addresses details of a job including procedures and precautions to be taken to minimize risks and avoid disasters.

Griswold said the crew was working at Gold King after looking at other nearby mines, to understand how to drain Gold King using a pipe. The mine's opening was blocked by loose dirt and rock.

It was unclear whether a drainage pipe already was in place.

San Juan Corp. president Todd Hennis, who bought the Gold King in 2005 and said he has looked at but never touched the portal of the mine, was aware of EPA intervention at the site.

Hennis said EPA crews began work last year on Gold King for fear it was filling up with acidic wastewater and had covered the main portal (elevation 11,458 feet) with dirt.

"Last year, they piled a large amount of dirt on the portal to prevent a blowout during the winter," Hennis said, "figuring they would come back (in 2015) and re-open it."

EPA-run crews had begun to install waste ponds at the nearby Red and Bonita Mine to try to trap toxic contaminants before they reached Cement Creek, where fish have disappeared.

Griswold said his crew's main intention last week was to work on the Red and Bonita Mine and that they had just gone to investigate the Gold King.

They started to dig away the dirt at the Gold King portal, where, Griswold said, weak rock around the portal had been collapsing.

"We were just investigating where we could put the pipe. We'd been digging out the debris, clearing the area out," he said, noting they were using a backhoe.

"We had found the hard rock I wanted to find overhead," he said. They stopped for a moment, shortly before 10:30 a.m.

"And all of a sudden, there was a little spurt from the top."

And then the mine blew.

"All that was holding it back was the dirt. The dirt just wasn't going to hold," Griswold said.

When a Durango resident last week asked for the work order, EPA chiefs acknowledged it was not accessible and said they would make it available. The Denver Post has been asking repeatedly for the work order. But despite promises, the EPA has not released it.

Colorado's director of abandoned mines reclamation work, Bruce Stover, said he was not at Gold King at the time of the blowout but recently looked at mines in the area in a technical support role to the EPA.

"We are trying to figure out what is going on and how to fix it. It is a vexing problem. ... Someday, there may be a water treatment plant up there. ... It's just a very difficult, complicated problem. We are trying to find out what the solution is. Not everybody is on the same page," Stover said.

"The whole idea was to get it to where we can contain it."

Griswold said Thursday the cleanup crews need to work quickly before winter, when avalanches, freezing temperatures and an eventual spring snowmelt could complicate their work.

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### **The Durango Herald**

<http://www.durangoherald.com/article/20150813/NEWS01/150819842/Retrieving-Durango%E2%80%99s-reputation->

#### **Retrieving Durango's recreational reputation**

Herald Staff

August 14, 12:37AM ET

After more than a week of news coverage around the world about the Gold King Mine spill into the Animas River, the Durango Area Tourism Office wants to help tourism-based businesses convince potential visitors that there's still fun to be had here.

The office released a Frequently Asked Questions list to members Wednesday. Among the questions:

Is the drinking water safe? (Yes.)

Is the town of Durango closed? (“No, the Animas River is only one aspect of our town.” It’s “business as usual” and “there are numerous lakes and rivers for water recreation in the area.”)

Is the river still orange? (“No, the images of discolored water circulating in the media are from the initial discharge almost one week ago ... the color has mostly cleared from the river.”)

What about the air quality in the area? (“The Gold King Mine situation was not an airborne contamination. The air quality in the area is not currently affected by this incident.”)

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### **The Durango Herald**

<http://www.durangoherald.com/article/20150813/NEWS01/150819834&source=RSS>

### **Data show widespread mining impacts**

Peter Marcus

August 14, 12:58AM ET

State health officials Thursday released a map that shows water-quality impacts to 1,645 miles of streams, possibly caused by mining activities.

The data come as the Durango community continues to recover from a devastating error by a crew contracted by the Environmental Protection Agency that sent an estimated 3 million gallons of mining wastewater into the Animas River on Aug. 5. The EPA-contract crew caused the spill while excavating the abandoned Gold King Mine near Silverton. The crew had planned to investigate necessary reclamation activities.

The map and data released by the Colorado Department of Public Health and Environment on Thursday show that the Gold King Mine is far from the only problematic location facing the state, resulting from historic mining activities all across Colorado.

Water-quality impairments include the presence of metals or a change in pH caused by a combination of mining impacts and underlying natural geology. When the Animas turned a mustard-yellow color from the spill, the water initially tested positive for spikes in lead, arsenic, cadmium, aluminum, copper and calcium. The pH also plummeted.

Lax regulations from the days of the mining boom in the state – dating back to the late 1850s – have allowed for contaminated waters to build up. The locations are primarily in historic mining districts, including 230 draining mines within the Colorado Mineral Belt. The belt runs from the mountains of Southwest Colorado to around the middle of the state, near Boulder.

There are 47 draining mines with active water treatment; 35 that are under investigation or being remediated; and 148 that likely impact water quality with no active water treatment.

Improvement efforts include source controls, like bulkheads, waste pile and tailing removal, active and passive water treatment, and other stream and ecosystem restoration projects.

From 2009 to 2014, the Colorado Division of Reclamation Mining and Safety spent more than \$12.3 million – from a variety of federal, state and private funding sources – on mining-related water-quality improvement projects.

“Colorado is making progress to address the legacy impacts from historic mining operations, but additional funding and resources would speed that process considerably,” said Mark Salley, spokesman for the Colorado Department of Public Health and Environment.

One avenue officials can explore is declaring Superfund status, which injects large amounts of federal dollars into cleaning up the nation’s uncontrolled hazardous waste sites. When that was proposed for Gold King Mine, some in the Silverton community opposed the idea, suggesting

that it could leave a black eye on the town.

But other communities that have pushed for Superfund status have blossomed into vibrant communities, including parts of Leadville, Idaho Springs and Breckenridge, to name a few.

Answering a question during a community meeting at Rotary Park in Durango on Tuesday, Gov. John Hickenlooper, a Democrat, said Superfund status should be included as a solution, but only with local stakeholders at the table.

“We’re going to look at everything, and I think everything is on the table.” Hickenlooper said. And he added, “Obviously a local community has to have a loud voice in that.”

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### **New York Times**

<https://news.google.com/news/story?cf=all&hl=en&pz=1&ned=us&q=Colorado+m+mine+spill&cf=all&ncl=dP6k>

### **Colorado: Water Near Mine at Pre-Spill Toxicity**

Julie Turkewitz

Aug 13, 8:42PM ET

The water just below a Colorado mine that poured three million gallons of toxic waste into nearby waterways has returned to pre-spill levels of toxicity, officials said Thursday. The Environmental Protection Agency is still analyzing water farther along the spill’s path — in New Mexico, the Navajo Nation and Utah. Officials in Utah said waste from the mine had probably reached Lake Powell, a major water storage facility for the region. E.P.A. officials have said they will have to monitor the spill’s path for years to understand its full effect. The Gold King Mine, near Silverton, burst on Aug. 5 while workers contracted by the E.P.A. were conducting a field investigation of the mine, which had leaked for years. The agency has said it was responsible for the spill. Levels of metals including arsenic and lead jumped in local waterways as the contamination flowed down the Animas River and into the San Juan, angering many who use

these rivers for drinking, irrigation and recreational activities. Colorado, New Mexico, Utah and the Navajo Nation declared states of emergency. The rivers remained closed Thursday.

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### **Colorado Public Radio**

<https://www.cpr.org/news/story/states-affected-gold-king-mine-spill-pressure-epa-cleanup>

### **States Affected By The Gold King Mine Spill Pressure EPA On Cleanup**

Grace Hood

August 13

State and federal authorities are clashing over how best to respond to the Gold King Mine spill, which was triggered by a crew of Environmental Protection Agency contractors who were doing clean up at the long-unused mine last week.

But even as the agency takes full responsibility for what happened, it is coming under fire for what critics are calling its slow response.

“No agency could be more upset about the incident happening or more dedicated in terms of doing our job and getting this right,” said EPA Administrator Gina McCarthy, who traveled to the Durango on Wednesday to meet with local officials.

The spill was triggered Aug. 5. near Silverton and the orange plume of wastewater laced with arsenic and lead was shocking to southwestern Colorado residents after it flowed down Cement Creek and contaminated the Animas River. It’s since flowed into the San Juan River in New Mexico headed toward Lake Powell.

The Animas and San Juan rivers have been closed to boaters and swimmers ever since. Rafting companies have been temporarily out of work. Farmers can’t use the water for their crops. In a bit of good news, McCarthy said water quality results in the Durango Colorado area were showing that levels have returned to conditions before the spill.

“So this is very good news. But I want to make sure you understand that there are additional steps that we are going to take,” she said.

McCarthy did not address the contaminants that experts say remain in the river beds.

Colorado and New Mexico residents have become frustrated with what they see as a slow EPA response, one that has left states to take matters into their own hands.

While the EPA said the rivers won’t reopen until next Monday, Colorado Gov. John Hickenlooper said he thinks the river could open in a few days. And on Wednesday, Colorado gave the green light for Durango to start processing tap water from the Animas River.

“It is the type of response and communication that I am concerned about,” said Cynthia Coffman, the attorney general of Colorado. She, along with the attorneys general for Utah and New Mexico say they’re watching the EPA closely. And they won’t hesitate to apply legal pressure if it’s needed.

“It may take a lot of attention from citizens here and from the attorneys general to make sure that things are done, and done properly,” Coffman said.

New Mexico Attorney General Hector Balderas says he was happy to hear that the EPA will seek independent oversight when it investigates the Gold King Mine incident. Balderas also says he’s evaluating whether the EPA plan to address environmental concerns after the spill is adequate for New Mexico.

“We would hope that they would welcome feedback in terms of whether additional resources will be needed,” he said.



Utah Attorney General Sean Reyes says his state hasn't seen any acute effects from the spill. But it's the orange sediment on the banks and at the bottom of the river that worries him.

"Who knows long term in terms of a chronic problem how that's going to affect everyone. That's our biggest concern probably right now," Reyes said.

The attorneys general say they'll be watching the effects over the next two to five years to ensure that land is restored and residents are compensated damages.

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### **KOB**

<http://www.kob.com/article/stories/s3878389.shtml#.Vc3rqvIVhHz>

### **EPA chief on Animas River: Sediment will be agency's long-term responsibility; Congressman Lujan talks**

Elizabeth Reed

August 13, 8:45PM ET

Environmental Protection Agency Administrator Gina McCarthy spoke in Farmington Thursday about the conditions of the Animas River following the Gold King Mine waste spill last week.

McCarthy announced Thursday that \$500,000 has been issued to aid the immediate need for water for irrigation and livestock in the Four Corners.

At the press conference, McCarthy said the EPA is working with the state and Navajo Nation to make sure farmers and other residents are getting those resources.

The EPA has also set up a hotline for the public to call with questions about the Animas River: 1-

844-607-9700. U.S. Rep. Ben Ray Lujan said there are representatives who speak English, Spanish and Navajo answering calls.

McCarthy also discussed water quality of the Animas River, saying the agency continues to see good news in terms of metal levels, but that sediment testing is ongoing.

"The EPA is in it for the long haul as we look at sediment challenges," McCarthy said.

#### LA PLATA CO. TESTS SEDIMENT

La Plata County officials said EPA technicians took 19 sediment samples Tuesday and had shipped them all by Wednesday. Results from those samples are expected by Sunday, according to La Plata County.

Wednesday evening, La Plata County officials began inspecting and flushing select irrigation ditches. This is a step toward opening irrigation for farmers and ranchers who depend on Animas River water for their crops and livestock. In the North Animas Valley, the Reid Ditch and West Animas Ditch were flushed Wednesday and work is currently being done on additional ditches south of Durango.

"The two ditches north of Durango had very little sediment, but after opening the head gates for flushing, those ditches produced a slight, temporary change in color of the Animas River, as we expected, that should arrive in Durango City limits mid-day today," said Butch Knowlton, Office of Emergency Management Director in La Plata County.

Operators of ditches that take water from the Animas River are asked to call the Call Center at 970-385-8700, open from 8 a.m. to 6 p.m., and provide names and phone numbers so officials can coordinate opening of the river head gates. Individual water users are on the ditches and canals are asked to keep their gates closed until notified.

Wednesday, the city of Farmington announced all metal levels except lead had returned to acceptable drinking water standards in the Animas River.

Allowable lead content is 15 micrograms per liter, and lead levels were at 15.4 micrograms per liter Monday.

## CONTRACTOR'S ROLE QUESTIONED

McCarthy was also questioned about the contractor who caused the Gold King Mine spill. The Wall Street Journal identified the contractor as Environmental Restoration LLC, a Missouri-based company.

McCarthy reiterated that the EPA was taking full responsibility for the incident and said the contractor was working under the direction of the agency and the Colorado Bureau of Reclamation, Mining and Safety. She said the EPA was reviewing what led to the incident and would also seek an independent review.

In regards to the thousands of abandoned mines across southern Colorado and New Mexico, McCarthy told reporters the issue needs to be looked at on a larger scale, but that it would take a long-term conversation that would also need congressional input.

"The 3 million gallons (in the Gold King Mine) weren't the EPA's. We need to make sure there isn't another spill waiting to happen," she said.

The EPA has put their investigations into other mines on hiatus while reviewing the Animas River spill.

## CONGRESSMAN BEN RAY LUJAN TALKS EFFECTS IN NM

Rep. Ben Ray Lujan, D-NM, represents Farmington and the communities around it in Congress, and stood side-by-side with EPA administrator Gina McCarthy Thursday.

"There is a very real frustration in our community right now," Lujan said. "It started because there was a lack of communication up in Colorado."

People are upset it took the EPA's top boss nine days to finally make it to New Mexico and that the long-term effects of the spill still aren't known.

"There can always be more done," Lujan said.

There's an expectation in the Four Corners that Lujan shouldn't let the EPA off easily, and that he closely monitors every step of the cleanup efforts.

"I'm communicating to the Energy Committee and to the Commerce and Resource Leadership that we need immediate oversight hearings in this area," Lujan said. "We're communicating to the White House and to the president to make sure have support from the administration to release resources and fully account for what's happened on the ground."

Since the EPA acts as the chief regulators on the environment, residents expect Congress to regulate the EPA.

"There has to be full accountability with the EPA on this. The EPA administrator was clear - not only today - but has been in the last few days, that the EPA takes full responsibility. But there is also oversight responsibility by the Congress," Lujan said.

The color in the Animas River in Farmington has returned to normal, but contaminated sediment remains. The long-term effects of the remaining sediment is unknown.

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